

REMARKS

The Office Action dated November 25, 2008 was received and carefully reviewed.

By this response, claims 14-19 have been amended to clarify the invention, and not for reasons of patentability. New dependent claims 36-39 have been added. No claims have been canceled by this reply. Claims 1-13, 32, and 33 were canceled by a previous response. Accordingly, claims 14-31 and 34-39 are currently pending in the subject application.

Applicants contend that the amendments to claims 14-19 merely correct minor errors therein, and thus do not include new matter. Support for new claims 36-39 can be found at least in claims 20-31 as originally filed. Thus, Applicants respectfully submit that new claims 36-39 do not include new matter.

In view of the above amendments and following remarks, Applicants respectfully request reconsideration and allowance of the subject application.

Claim Rejections - 35 U.S.C. § 102 or § 103

Claims 14-31, 34, and 35 stand rejected under 35 U.S.C. § 102(e) as allegedly being anticipated by, or in the alternative, under 35 U.S.C. § 103(a) as allegedly being unpatentable over Yamazaki et al. (U.S. Pat. Pub. No. 2005/0122351 A1) (*Yamazaki*, hereinafter). Applicants traverse this rejection for at least the reasons set forth below.

Applicants contend that independent claims 14-19, 34 and 35, and claims dependent therefrom, are patentably distinguishable over *Yamazaki*, since *Yamazaki* fails to disclose, teach, or suggest all the features recited in the pending claims.

For example, independent claims 14, 16, 18, and 34 are directed to, *inter alia*, the feature of forming an island-like semiconductor film by removing a part of the first semiconductor film using the source electrode, the drain electrode, and the insulating film as a mask. Independent claims 15, 17, 19, and 35 are directed to, *inter alia*, the feature of forming an island-like semiconductor film and an island-like gate insulating film by removing a part of the first semiconductor film and a part of the gate insulating film using the source electrode, the drain

electrode, and the insulating film as a mask.

Yamazaki fails to disclose, teach, or suggest the feature of forming an island-like semiconductor film by removing a part of the first semiconductor film using the source electrode, the drain electrode, and the insulating film as a mask, as recited in present independent claims 14, 16, 18, and 34. In addition, *Yamazaki* fails to disclose, teach, or suggest the feature of forming an island-like semiconductor film and an island-like gate insulating film by removing a part of the first semiconductor film and a part of the gate insulating film using the source electrode, the drain electrode, and the insulating film as a mask, as recited in present independent claims 15, 17, 19, and 35.

Embodiment 9 of the present invention contemplates that “[a] semiconductor film 104 is etched by using the source electrode 108, a drain electrode 109, and the insulating films 115 and 134 as masks to form an island-like semiconductor film 118.” Further, “[t]he insulating film 115 and 134 is formed over a channel region 109 in the island-like semiconductor film 118.” Thus, “damages due to overetching in the foregoing etching process can be prevented” (see Embodiment 9, e.g., page 35 in the present specification).

On the other hand, *Yamazaki* appears to disclose that, as seen in FIGS. 19A and 19B, the semiconductor film 15 is etched using mask pattern 26, thereby forming the island-like semiconductor film 16 (see *Yamazaki*, e.g., paragraph [0180]). Furthermore, paragraph [0180] in *Yamazaki* specifically recites (emphasis added):

[0180] Then, the semiconductor film **15** and the N-type semiconductor film **25** are ***etched using the mask pattern 26 as a mask***, thereby forming an island-like semiconductor film **16** and an island-like semiconductor film **27 (FIG. 19B)**. As an etching gas, a chlorine gas typified by Cl₂, BCl₃, SiCl₄ or CCl₄, a fluorine gas typified by CF₄, SF₆, NF₃ and CHF₃, or O₂ can be used, however, the invention is not limited to this. The mask pattern **26** is removed by O₂ ashing and the like after the etching step.

Thus, contrary to the present invention, *Yamazaki* specifically discloses the use of a mask pattern as a mask for etching the semiconductor films into island-like semiconductor films, and

does not appear to be directed to “using the source electrode 108, a drain electrode 109, and the insulating films 115 and 134 as masks to form an island-like semiconductor film 118”, as recited in the present invention.

Additionally, in describing FIGS. 27A and 27B *Yamazaki* discloses that “*a mask pattern is formed*, and the first semiconductor film **1105**, the second semiconductor film **1106** and the third semiconductor film **1107** having one conductivity are etched so to be separated into island shapes” (see *Yamazaki*, e.g., paragraph [0297]).

Therefore, it is Applicants contention that *Yamazaki* fails to disclose, teach, or suggest the feature of forming an island-like semiconductor film by removing a part of the first semiconductor film using the source electrode, the drain electrode, and the insulating film as a mask, as recited in present independent claims 14, 16, 18, and 34. Furthermore, Applicants contend that *Yamazaki* fails to disclose, teach, or suggest the feature of forming an island-like semiconductor film and an island-like gate insulating film by removing a part of the first semiconductor film and a part of the gate insulating film using the source electrode, the drain electrode, and the insulating film as a mask, as recited in present independent claims 15, 17, 19, and 35.

Thus, *Yamazaki* neither anticipates nor renders obvious all the features recited in the independent claims. Accordingly, it is respectfully requested that the rejection of independent claims 14-19, 34, and 35 be withdrawn, and that these claims be allowed.

Claims 20-31 are allowable at least by virtue of their dependency from one of the independent claims, but also because they are distinguishable over the prior art. Thus, the withdrawal of the rejection and the allowance of these claims are also hereby requested.

New claims 36-39 are also distinguishable over the prior art. Accordingly, Applicants respectfully submit that these claims are also in condition for allowance.

In view of the foregoing, it is submitted that the present application is in condition for allowance and a notice to that effect is respectfully requested. If, however, the Examiner deems

that any issue remains after considering this response, the Examiner is invited to contact the undersigned attorney/agent to expedite the prosecution and engage in a joint effort to work out a mutually satisfactory solution.

Except for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account No. 19-2380. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully submitted,
NIXON PEABODY LLP

Date: February 23, 2009

/Anthony J. Canning, Reg. #62,107/
Anthony J. Canning
Registration No. 62,107

NIXON PEABODY LLP
Suite 900,
401 9th Street, N.W.
Washington, D.C. 20004-2128
(202) 585-8000